

On April 10, 1930, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17220. Misbranding of Chill-Check. U. S. v. 6½ Dozen Bottles of Chill-Check. Default decree of destruction entered. (F. & D. No. 23978. I. S. No. 010425. S. No. 2224.)

Examination of a sample of a drug product known as Chill-Check by this department showed that the label bore claims for its curative properties in certain ailments for which quinine sulphate is customarily prescribed, and that the product contained insufficient quinine sulphate to cure such ailments when taken according to the directions printed on the bottle label, namely: "Two teaspoonfuls in little water every three hours until bowels act well, then three times a day." The labels also bore further curative and therapeutic claims for its effectiveness that were not justified by the composition of the article.

On August 31, 1929, the United States attorney for the Southern District of Mississippi, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 6½ dozen bottles of Chill-Check, remaining in the original unbroken packages at Meridian, Miss., alleging that the article had been shipped by the Bedsole-Colvin-O'Dell Drug Co., from Birmingham, Ala., on or about July 9, 1929, and transported from the State of Alabama into the State of Mississippi, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of magnesium sulphate, iron chloride, quinine sulphate (3.47 grains per fluid ounce), and water.

It was alleged in substance in the libel that the article was misbranded in that the statements on the labeling, "Chill-Check * * * for * * * Influenza, Chills and Fever, Malaria and Biliousness," were false and fraudulent in that they represented that the article contained a drug or substance indicated or recommended in cases of influenza, chills and fever, malaria, and biliousness, whereas the said article did not have the curative or therapeutic value or effects claimed.

On March 26, 1930, no claimant having appeared for the property, judgment was entered ordering that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17221. Misbranding of Talbot's All Healing Unguentol ointment. U. S. v. 72 Boxes of Talbot's All Healing Unguentol Ointment. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 24456. I. S. No. 021952. S. No. 2722.)

On January 17, 1930, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 72 boxes of Talbot's All Healing Unguentol ointment, remaining in the original unbroken packages at Fall River, Mass., alleging that the article had been shipped by the Manhattan Drug Co., from New York, N. Y., on or about September 16, 1929, and transported from the State of New York into the State of Massachusetts, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of a petrolatum, wax, and wool fat base, zinc oxide, boric acid, phenol, sulphur, an empyreumatic substance such as tar oil, and essential oils including menthol and camphor.

It was alleged in the libel that the article was misbranded in that the following statement appearing on the carton and tin box containing the article and in the accompanying circular, regarding the curative and therapeutic effects of the said article, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Tin box label) "Healing * * * Nutritive * * * for Wounds, Sores, * * * Piles, Ulcers, Eczema, and All Skin Diseases. * * * apply * * * to afflicted parts;" (carton) "Healing Nutritive * * * For Wounds, fresh and old sores, * * * piles or hemorrhoids, ulcers, eczema, salt rheum, itch, ringworm, scald head and all skin diseases. * * * containing wonderful healing properties combined with a readily absorbent * * * healing base.

* * * Apply * * * to afflicted parts;" (circular) "Is easily and quickly absorbed by the skin and underlying tissues. It carries the relieving * * * healing * * * properties of the ointment all through the tissues where they are most needed. This Emollient contains * * * Healing * * * Properties * * * with a * * * Healing Base. * * * quickly heals * * * It * * * heals and forms new healthy tissues, in Old Sores, Ulcers, Wounds and all offensive nonhealing eruptive surface skin diseases accompanied by a discharge. It is a specific for Piles, Hemorrhoids, Eczema, Salt-rheum, Itch, Ringworm, Scald-head, Bites * * * all Skin Diseases * * * It is a * * * healing remedy for Catarrh * * * Influenza, Hay Fever, and all diseases of the Mucous Membrane of the Nasal Passages. * * * Apply freely to afflicted parts * * * In the treatment of Old Sores, * * * for the Treatment of Catarrh."

On March 12, 1930, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17222. Misbranding of Stopkofin. U. S. v. 6 Dozen Bottles of Stopkofin. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23685. I. S. No. 07112. S. No. 1878.)

On or about May 11, 1929, the United States attorney for the Western District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 6 dozen bottles of Stopkofin at San Antonio, Tex., alleging that the article had been shipped by the Piuma Italian Pharmacy, from Los Angeles, Calif., on or about March 27, 1929, and transported from the State of California into the State of Texas, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of ammonium chloride, ammonium carbonate, potassium iodide, antimony and potassium tartrate, extracts of plant drugs including podophyllum, a trace of chloroform, alcohol (28 per cent), sugar, and water.

It was alleged in the libel that the article was misbranded in that the statement on the carton and bottle label, "Contains no * * * alcohol," was false and misleading. Misbranding was alleged for the further reason that the package containing the article failed to bear a statement on the label of the quantity or proportion of alcohol contained therein. Misbranding was alleged for the further reason that the following statements regarding the curative and therapeutic effects of the article appearing on the carton and bottle labels were false and fraudulent in that the said article contained no ingredient or combination of ingredients capable of producing the effects claimed: (Carton) "Stopkofin * * * for * * * Coughs, * * * Loss of Voice, Bronchitis, Hoarseness, * * * Spasmodic Croup, Bronchial and La Grippe Coughs, and * * * minor affections of the Throat and Lungs. * * * Stopkofin Laboratories * * * Stopkofin * * * Prepared From * * * E'even Ingredients * * * For Coughs;" (bottle) "Stopkofin * * * for * * * Coughs, * * * Loss of Voice, Bronchitis, Hoarseness, * * * Whooping Cough, Spasmodic Croup, Bronchial and La Grippe Cough, and * * * minor affections of the Throat and Lungs * * * Stopkofin Laboratories."

On January 20, 1930, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17223. Misbranding of carbolized witch-hazel ointment and Hailperin's antiseptic healing ointment. U. S. v. 78 Boxes of Carbolized Witch Hazel Ointment, et al. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 24457, 24458. I. S. Nos. 028926, 028927. S. Nos. 2704, 2705.)

On January 21, 1930, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 78 boxes of carbolized witch-hazel ointment and 36 boxes of Hailperin's antiseptic healing ointment, remaining in the original unbroken packages at Newark, N. J., alleging that the articles had been shipped by the Manhattan Drug Co., Brooklyn, N. Y., in part on or about September 28, 1929, and in part on or about November 2, 1929, and transported from the State of